

FILED: March 7, 2000

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-2120

COLUMBUS-AMERICA DISCOVERY GROUP,

Plaintiff-Appellant,

and

TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF
NEW YORK; JACK F. GRIMM; JOANNE LAMPE
CHARLTON, Personal Representative of the
Estate of Harry G. John,

Intervenor-Plaintiff,

versus

ATLANTIC MUTUAL INSURANCE COMPANY; COMMERCIAL
UNION ASSURANCE COMPANY, LIMITED; ROYAL
INSURANCE COMPANY, LIMITED; SUN ALLIANCE
GROUP; GRE OF AMERICA CORPORATION;
SUPERINTENDENT OF INSURANCE OF THE STATE OF
NEW YORK,

Claimants-Appellees

and

THE UNIDENTIFIED WRECKED AND ABANDONED SAILING
VESSEL, its engines, tackle, apparel,
appurtenances, cargo, etc., located within a
box defined by the following coordinates:
Northern Boundary--31 degrees 37 minutes North
Latitude; Southern Boundary--31 degrees 33
minutes North Latitude; Western Boundary--77
degrees 2 minutes West Longitude, (believed to
be the S. S. Central America), in rem;

Defendant,

THE INSURANCE COMPANY OF NORTH AMERICA;
COMMERCIAL UNION INSURANCE COMPANY; WILLIAM H.
MCGEE & COMPANY, INCORPORATED; ROYAL
INSURANCE; ROYAL INSURANCE COMPANY OF AMERICA;
CHUBB & SON, INCORPORATED; SALVAGE
ASSOCIATION; UNDERWRITERS AT LLOYD'S; LONDON
ASSURANCE; ALLIANCE ASSURANCE COMPANY,
LIMITED; GUARDIAN ROYAL EXCHANGE; ROYAL
EXCHANGE ASSURANCE; INDEMNITY MUTUAL MARINE
ASSURANCE COMPANY; INDEMNITY MARINE ASSURANCE
COMPANY, LIMITED; SUN INSURANCE COMPANY OF NEW
YORK; SUN INSURANCE OFFICE, LIMITED; MARINE
INSURANCE COMPANY, LIMITED; INDEMNITY MARINE;
LONDON ASSOCIATED CORPORATION; ROYAL
ASSOCIATED CORPORATION; ROYAL MARINE;
INDEMNITY MUTUAL; ROYAL EXCHANGE & LONDON
OFFICES; UNION BANK OF LONDON; DENNIS
STANDEFER; THE R/V LIBERTY STAR, her master,
officers, crew, and all persons aboard; BOARD
OF TRUSTEES OF COLUMBIA UNIVERSITY; LAMONT-
DOHERTY GEOLOGICAL INSTITUTE; S. S. GEORGE LAW
PARTNERSHIP; BOSTON SALVAGE CONSULTANTS,
INCORPORATED,

Claimants.

No. 98-2198

COLUMBUS-AMERICA DISCOVERY GROUP,

Plaintiff-Appellant,

and

TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF
NEW YORK; JACK F. GRIMM; JOANNE LAMPE
CHARLTON, Personal Representative of the
Estate of Harry G. John,

Intervenor-Plaintiff,

versus

ATLANTIC MUTUAL INSURANCE COMPANY; COMMERCIAL
UNION ASSURANCE COMPANY, LIMITED; ROYAL

INSURANCE COMPANY, LIMITED; SUN ALLIANCE GROUP; GRE OF AMERICA CORPORATION; SUPERINTENDENT OF INSURANCE OF THE STATE OF NEW YORK,

Claimants-Appellees

and

THE UNIDENTIFIED WRECKED AND ABANDONED SAILING VESSEL, its engines, tackle, apparel, appurtenances, cargo, etc., located within a box defined by the following coordinates: Northern Boundary--31 degrees 37 minutes North Latitude; Southern Boundary--31 degrees 33 minutes North Latitude; Western Boundary--77 degrees 2 minutes West Longitude, (believed to be the S. S. Central America), in rem;

Defendant,

THE INSURANCE COMPANY OF NORTH AMERICA; COMMERCIAL UNION INSURANCE COMPANY; WILLIAM H. MCGEE & COMPANY, INCORPORATED; ROYAL INSURANCE; ROYAL INSURANCE COMPANY OF AMERICA; CHUBB & SON, INCORPORATED; SALVAGE ASSOCIATION; UNDERWRITERS AT LLOYD'S; LONDON ASSURANCE; ALLIANCE ASSURANCE COMPANY, LIMITED; GUARDIAN ROYAL EXCHANGE; ROYAL EXCHANGE ASSURANCE; INDEMNITY MUTUAL MARINE ASSURANCE COMPANY; INDEMNITY MARINE ASSURANCE COMPANY, LIMITED; SUN INSURANCE COMPANY OF NEW YORK; SUN INSURANCE OFFICE, LIMITED; MARINE INSURANCE COMPANY, LIMITED; INDEMNITY MARINE; LONDON ASSOCIATED CORPORATION; ROYAL ASSOCIATED CORPORATION; ROYAL MARINE; INDEMNITY MUTUAL; ROYAL EXCHANGE & LONDON OFFICES; UNION BANK OF LONDON; DENNIS STANDEFER; THE R/V LIBERTY STAR, her master, officers, crew, and all persons aboard; BOARD OF TRUSTEES OF COLUMBIA UNIVERSITY; LAMONT-DOHERTY GEOLOGICAL INSTITUTE; S. S. GEORGE LAW PARTNERSHIP; BOSTON SALVAGE CONSULTANTS, INCORPORATED,

Claimants.

O R D E R

Atlantic Mutual Insurance Co., et al., the underwriters in these cases, filed their petition for rehearing in these cases on February 18, 2000.

Columbus-America Discovery Group, Inc. filed its petition for rehearing in these cases on February 22, 2000. While the said petition of Columbus-America only spoke to rehearing en banc, we consider it was also addressed to the panel.

No request for a poll of the court on the petitions for rehearing en banc has been made.

It is accordingly ADJUDGED and ORDERED that both of the above mentioned petitions for rehearing en banc shall be, and they hereby are, denied.

The panel has considered both of the petitions for rehearing and are of opinion they are each without merit.

It is accordingly ADJUDGED and ORDERED that both of the above mentioned petitions for rehearing shall be, and they hereby are, denied.

With the concurrences of Judge Williams and Judge Michael.

/s/ H. E. Widener, Jr.

For the Court